

BUYCK LAW FIRM, LLC

ATTORNEYS & COUNSELORS AT LAW

129 BROAD STREET
P.O. BOX 630
CHARLESTON, SC 29402-0630

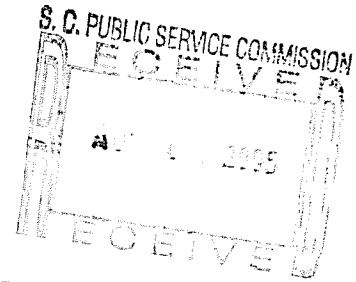
TELEPHONE: (843) 377-1400
FAX (843) 377-1403
E-MAIL: HWB@BUYCKFIRM.COM

S.A.²
175070

Hugh W. Buyck
Darren K. Sanders

August 5, 2005

Mr. Charles L. A. Terreni
Chief Clerk / Administrator
South Carolina Public Service Commission
101 Executive Center Drive, Suite 100
Columbia, SC 29210



PROCESSED
8/8/05
tod

Re: Petition of the Office Regulatory Staff to Request Forfeiture of the Bond
and to Request Authority to Petition the Circuit Court for Appointment of
a Receiver
PSC Docket No.: 2005-110-W/S
Our file No.: 4.02

Dear Mr. Terreni:

Enclosed please find an original and ten copies of a MOTION FOR CONTINUANCE OF D.
REECE WILLIAMS IV AND ELIZABETH P. WILLIAMS in the above-referenced matter. We
would ask that you please file the original and return a clocked in copy for our files.

[Handwritten initials]

By copy of this letter to all counsel, we are providing the same, and please do not hesitate
to contact me should you need anything further.

With kind regards,

Yours Truly,

[Signature]
Hugh W. Buyck

HWB:tg

cc: Louis Lang,, Esquire
Jessica J. O. King, Esquire
Benjamin P. Mustian, Esquire

RECEIVED

AUG 08 2005

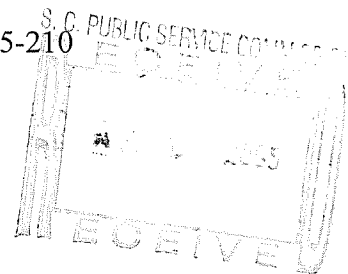
PSC SC
DOCKETING DEPT.

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BEFORE THE PUBLIC SERVICE COMMISSION
FOR THE STATE OF SOUTH CAROLINA

DOCKET NUMBER 2005-110-W/S-ORDER NO. 2005-210

In Re: Petition of the Office of Regulatory Staff to)
Request Forfeiture of the Piney Grove)
Utilities, Inc bond and to Request Authority)
To Petition the Circuit Court for)
Appointment of a Receiver)



**MOTION FOR CONTINUANCE OF
D. REECE WILLIAMS IV AND ELIZABETH P. WILLIAMS**

D. Reece Williams IV and Elizabeth P. Williams, by and through their undersigned counsel, hereby move before the Public Service Commission for good cause shown, pursuant to Reg. 103-861, Reg. 103-862, Reg. 103-854 and Rule 40(h) of the South Carolina Rules of Civil Procedure, at a reasonable time and place set by the Commissioner or a 120 day continuance of the hearing currently scheduled in the above-referenced matter for August 9, 2005. The ground for such a continuance is the unopposed request of these parties to intervene in this matter before the commission and the needed time for these Respondents to formulate a proper defense to the Petitioner's allegations.

As the alleged sureties of a performance bond issued on behalf of Piedmont Water Company, the Office of Regulatory Staff is seeking to assert the individual liability of these respondents. The respondents have asserted various affirmative defenses, especially in light of an Order entered in the Court of Common Pleas for the Eleventh Judicial Circuit, in the case captioned South Carolina Department of Health and Environmental Control v. Piney Grove Utilities Inc. Case No. 2005-CP-32-131 entered July 29, 2005. As such, a hearing within 8 days of the entry of the Order provides

insufficient time for these respondents to formulate a complete defense to the allegations of the petitioners.

S.C. Reg. 103-854 provides:

“The S.C. Rules of Civil Procedure govern all discovery matters not covered in Commission Regulations 103-850 through 103-852.”

Regulations 103-850 through 103-852 govern discovery and do not encompass issues relative to the calling of a hearing on the merits of a claim. Regulation 103-860 provides for the setting of hearings. It provides, “[i]n formal proceedings, the Commission will assign a time and place for hearing and shall give notice thereof as required by law.” The Regulations further provide, “[a]ny **party** of record desiring a continuance shall, immediately upon receipt of notice of the hearing or as soon thereafter as facts requiring such continuance come to its knowledge, notify the Executive Director, stating in detail the reasons why such continuance is necessary. Unless good cause is shown, no such continuance shall be granted.” S.C. Reg. §103-860.

Having just entered an appearance based in part upon the July 29, 2005 Order of the Circuit Court in South Carolina Department of Health and Environmental Control v. Piney Grove Utilities Inc., Case No. 2005-CP-32-131, these parties have not had a reasonable chance to formulate their good faith defense to the action as notice of their intent to intervene was filed within a practicable time on or about August 4, 2005. Without a continuance, the parties will have inadequate opportunity to not only evaluate the effect of the Circuit Court Order or its ramifications but also to fully explore and develop discovery.

Since there are no specific provisions with the Chapter 103 of the South Carolina Regulations concerning the Public Service Commission, reference to the South Carolina

Rules of Civil Procedure may be beneficial. Rule 40 governs the General Docket, Roster and Call of cases for trial. Rule 40(h) includes a manner similar to that provided to the Public Service Commission for the calling of a case on the nonjury docket, and included within this Rule is the mandate “[t]hat no contested nonjury action may be called for trial on the merits until 120 days after the filing of the summons and complaint, or the last pleading that adds a new party to the action, unless agreed to in writing by all parties.” S.C.Civ.P 40(h).

Given the unique factual scenario faced by the Commission in the calling of the instant matter and given the developments concerning the Restraining Order of the Circuit Court, D. Reece Williams, IV and Elizabeth P. Williams respectfully request a continuance of the August 9th hearing for good cause with an opportunity to fully develop their good faith defenses. These parties would also adopt those reasons set forth within the motion for continuance filed by Piney Grove Utilities on or about August 2, 2005.

Respectfully Submitted,

BUYCK LAW FIRM, LLC

129 Broad Street

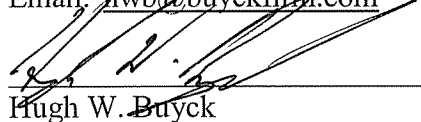
P.O. Box 630

Charleston, SC 29402

Telephone: (843) 377-1400

Facsimile: (843) 723-0203

Email: hwb@buyckfirm.com



Hugh W. Buyck

Attorney for the D. Reece Williams,
IV and Elizabeth P. Williams.

, 2005
Charleston, South Carolina
4.02/Motion Continuance

BEFORE THE PUBLIC SERVICE COMMISSION
FOR THE STATE OF SOUTH CAROLINA

DOCKET NUMBER 2005-110-W/S-ORDER NO. 2005-210

In Re: Petition of the Office of Regulatory Staff to)
Request Forfeiture of the Piney Grove)
Utilities, Inc bond and to Request Authority)
To Petition the Circuit Court for)
Appointment of a Receiver)

The undersigned for D. Reece Williams IV and Elizabeth P. Williams, states that he had on August 3, 2005, served upon the necessary parties the **Motion for Continuance of D. Reece Williams IV and Elizabeth P. Williams**, via U.S. mail, addressed as follows:

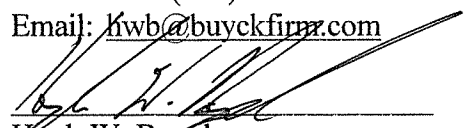
Jessica J. O. King, Esquire
South Carolina Department
of Health and Environmental Control
2600 Bull Street
Columbia, SC 29201-1708

Louis H. Lang, Esquire
Callison, Tighe and Robinson
1812 Lincoln Street, Suite 200
Columbia, SC 29201


Benjamin P. Mustian, Esquire
C. Lessie Hammonds, Esquire
Office of Regulatory Staff
P. O. Box 11263
Columbia, SC 29211

BUYCK LAW FIRM, LLC

129 Broad Street
P.O. Box 630
Charleston, SC 29402
Telephone: (843) 377-1400
Facsimile: (843) 723-0203
Email: hwb@buyckfirm.com



Hugh W. Buyck


August 5, 2005
Charleston, South Carolina
4.02/Certificate of Service